

---

# 4A

## Action

### *Legislative Committee*

#### Analyses of Bills

---

## AGENDA INSERT

**Executive Summary:** Staff will present analyses of educator preparation or licensing bills introduced by Legislators. The analyses will summarize current law, describe the bill's provisions, estimate its costs and recommend amendments, if applicable.

**Recommended Action:** Staff will recommend a position in each bill analysis submitted for the Commission's consideration.

**Presenters:** Mary Armstrong, Director; Marilyn Errett, Administrator; Anne Padilla, Consultant; and Erin Duff, Assistant Consultant, Office of Governmental Relations

#### **Strategic Plan Goal: 2**

#### **Support policy development related to educator preparation, conduct and professional growth**

- ◆ Inform key legislators and policy makers on issues and ideas relevant to the Commission's scope of action

March 2009



---

## Bill Analysis

---

### Assembly Bill 239 (Brownley) Teacher Credentialing

**Recommended Position:** Sponsor

**Sponsor:** AB 239 contains one item that the Commission approved for sponsorship in 2009 as well as additional items.

**Bill Version:** Introduced February 6, 2009

#### Analysis of Bill Provisions

AB 239 would:

1. Allow District Intern Programs to offer intern preparation programs for all types of Education Specialist Credentials;
2. Authorize the Commission to issue a Crosscultural, Language and Academic Development (CLAD) certificate to educators who hold a valid California teaching credential and specified National Board of Professional Teaching Standards (NBPTS) English learner certificates; and
3. Authorize the Commission to issue a clear credential to designated subjects credential holders or service credential holders who hold NBPTS certification, as determined by the Commission. Currently, only preliminary multiple subject, single subject and education specialist credential holders can clear their credential requirements through NBPTS certification.

The bill would also make technical corrections.

#### Commission Activity

The District Intern Program was created by the passage of the Hughes-Hart Education Reform Act of 1983 (Chap. 498, Stats. 1983) and is administered by the Commission. The original program allowed districts and county offices to offer teacher preparation programs for single subject candidates. Since then the enabling statutes have been amended multiple times as this type of teacher preparation program has expanded into new credential areas and increased the number of providers. With each addition, the Education Code has been amended to require a study of the effectiveness of the program.

The latest study responds to the mandate in SB 933 (Machado)<sup>1</sup>, sponsored by the Commission, that requires that the Commission report to the Legislature, by January 2009, on the effectiveness of the pilot program allowing the District Intern Education Specialist Program by allowing district programs to include all areas of disability.

---

<sup>1</sup> Chap. 304, Stats. 2006

At the December 2008 meeting, the Commission reviewed the draft report to the Legislature<sup>2</sup> and recommended that:

“As a result of the generally affirmative response to each of the questions posed by the study, the Commission has concluded that District Intern Programs are capable of offering Education Specialist programs in all areas of disability. The Commission recommends that the pilot program status and January 1, 2010 culmination date, as specified in Education Code § 44325, be deleted. “

Also at the December 2008 Commission meeting, staff recommended and the Commission approved sponsoring legislation to allow District Intern Programs to offer intern preparation programs for all types of Education Specialist Credentials. Assembly Member Brownley has agreed to carry this legislation in AB 239.

In addition to the proposal sought by the Commission, Assembly Member Brownley has included language in the bill that authorizes the Commission to issue CLAD certificates to educators who hold a valid California teaching credential and NBPTS Early and Middle Childhood/English as a New Language certificate or Early Adolescence through Young Adulthood/English as a New Language certificate. The bill would also authorize the Commission to issue a clear credential to designated subjects credential holders or service credential holders who hold NBPTS certification, as determined by the Commission.

Current law allows teachers with a preliminary Multiple Subject, Single Subject, or Education Specialist Teaching Credential to meet requirements for the clear credential by attaining NBPTS certification.

In order to meet eligibility prerequisites for the NBPTS certification program, applicants must meet all education, employment and licensure eligibility requirements as follows:

- Education: Possession of a bachelor’s degree from an accredited institution
- Employment: Completion of three years of successful teaching/counseling in early childhood, elementary, middle or secondary schools
- Licensure: Hold a valid state teaching/counselor license for each of the three years of employment. For California applicants, this is defined as either a preliminary or clear credential.

Once accepted as a NBPTS candidate, educators are required to complete two major assessments: 1) assessment of content knowledge administered at a computer-based testing center; and 2) a portfolio of classroom practice. The portfolio consists of four different entries; three classroom-based (at least two are required to be video recordings of classroom interactions between the candidate and his/her students) and one entry demonstrating work with families and the larger community. Each portfolio requires

---

<sup>2</sup> <http://www.etc.ca.gov/commission/agendas/2008-12/2008-12-3D.pdf>

direct evidence of teaching as well as a commentary describing, analyzing and reflecting on this evidence.<sup>3</sup>

The California NBPTS Certification Incentive Program allows all teachers who earn NBPTS certification to apply for incentive grant funding of up to \$20,000 (as appropriated in the Budget Act) if he or she agrees to teach at a high priority school for at least four years. Last year, as part of the Commission's sponsored legislation on Career Technical Education (CTE), the Commission proposed to allow teachers with a preliminary CTE credential to clear their credential requirements with NBPTS CTE certification. This provision was removed at the request of the Department of Finance.

Also, at the request of Senator Jack Scott, last session staff reviewed the requirements for NBPTS English learner certification and the California English learner certification requirements, and found them to be comparable.

### **Fiscal Impact**

None. As the California NBPTS Certification Incentive Program is not currently funded in the budget, Assembly Member Brownley believes that the cost pressure issue has been addressed.

### **Relevant Commission Legislative Policies**

Policy 5: The Commission supports legislation which strengthens or reaffirms initiatives and reforms which it previously has adopted, and opposes legislation which would undermine initiatives or reforms which it previously has adopted.

Policy 6: The Commission supports alternatives to existing credential requirements that maintain high standards for the preparation of educators, and opposes alternatives that do not provide sufficient assurances of quality.

### **Organizational Positions**

#### **Support**

None noted at this time.

#### **Opposition**

None noted at this time.

### **Reason for Suggested Position**

There continues to be a severe shortage of special education teachers in California and the nation. District Intern Programs can help meet local needs for special education teachers. Current law has provided a cautious approach to expanding the authority of District Intern Programs to offer Education Specialist Intern Programs. The most recent pilot project authorized a limited number of District Intern Programs to expand beyond the Education Specialist: Mild/Moderate Credential. Participants and employers rated the programs highly. If the law is not changed to allow District Intern Programs to offer

---

<sup>3</sup> [http://www.nbpts.org/userfiles/File/Guide\\_2009\\_web.pdf](http://www.nbpts.org/userfiles/File/Guide_2009_web.pdf)

preparation for all authorizations of the Education Specialist Credential, this much-needed avenue of preparation for all but the Mild/Moderate authorization will be discontinued.

NBPTS certification has proven a successful path to both clearing preliminary credentials and encouraging exemplary teaching in our high need schools. This proposal would expand the options for clearing educator credentials and in addition to increasing the number of teachers who would qualify for a CLAD authorization through NBPTS certification.

For these reasons, staff recommends that the Commission **“Sponsor”** AB 239.

**Analyst:** Anne L. Padilla

**Date of Analysis:** February 24, 2009